

ORIGINAL

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ELECTRONICALLY FILED
DOC #:
DATE FILED: MAY 03 2018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

THOMAS CARRANO,

Defendant.

X

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X

SUPERSEDING INDICTMENT

S1 17 Cr. 460 (DAB)

CERTIFIED AS A TRUE COPY ON

THIS DATE

BY

() Clerk
(X) Deputy

COUNT ONE

(Conspiracy to Violate the Animal Welfare Act)

The Grand Jury charges:

Background

1. Cockfighting is an activity in which participants put forward two roosters to fight one another for sport and entertainment. The roosters often have metal spurs, known as gaffs, or plastic spurs, known as "postiza," affixed to their legs for use in the fight. Cockfighters often refer to fighting roosters as "sparring." The fight ends when one rooster is dead or refuses to continue to fight.

2. Roosters involved in cockfighting will often be groomed or mutilated in distinct ways, such as the trimming and removal of the comb and wattle, and the trimming and shaping of the spur. This is often referred to as "dubbing."

3. During at least some periods charged in this Indictment, THOMAS CARRANO, the defendant, served as an Officer

of the New York State Gamefowl Breeders Association ("NYUGBA"). The NYUGBA's publically stated purpose is the promotion and preservation of gamefowl, including through the use of poultry shows and newsletters. The NYUGBA's June 2014 newsletter included a message from then-director of the NYUGBA, which stated: "We DO NOT promote cockfighting in any way. We promote preservation of our rights to own breed and raise gamefowl."

4. During at least some periods charged in this Indictment, THOMAS CARRANO, the defendant, maintained two social media accounts: an account in his own name and an account in the name of the NYUGBA. CARRANO used both accounts to communicate with co-conspirators, including members of the NYUGBA and others that were located in the Southern District of New York and elsewhere, regarding the breeding of gamefowl, the training of roosters for cockfighting, the sale and purchase of gaffs and postizas, and CARRANO's personal participation in cockfighting.

5. At all times relevant to this Indictment, THOMAS CARRANO, the defendant, maintained and operated a gamefowl farm in Ontario, New York, which housed roosters and hens. On or about May 23, 2017, law enforcement personnel executed a search warrant at CARRANO's farm (the "CARRANO Search").

a. In connection with the CARRANO Search, law enforcement officers discovered, among other things, gaffs, postizas, shears for dubbing roosters, a rooster sparring dummy,

a specialized ladder used to train fighting roosters, steroids, and videos of roosters being trained for cockfights.

b. In connection with the CARRANO Search, law enforcement officers also recovered approximately 104 chickens and/or chicks, including 19 adult roosters and 12 adolescent roosters. More than three-quarters of the male birds had their comb, wattles, and/or earlobes removed. In addition, more than one third of the male birds had at least one of their natural spurs altered.

STATUTORY ALLEGATIONS

6. From at least in or about January 2012 up to and including at least in or about June 2017, in the Southern District of New York and elsewhere, THOMAS CARRANO, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, selling, buying, possessing, training, transporting, delivering, and receiving roosters for cockfighting, in violation of Title 7, United States Code, Section 2156 (b); and selling, buying, transporting, or delivering in interstate or foreign commerce a knife, a gaff, or other sharp instrument attached, or designed or intended to be attached, to the leg of a bird for use in an animal fighting venture, in violation of Title 7, United States Code, Section 2156(e).

7. It was a part and object of the conspiracy that THOMAS CARRANO, the defendant, and others known and unknown, did knowingly sell, buy, possess, train, transport, deliver, and receive animals for purposes of having the animals participate in an animal fighting venture, in violation of Title 7, United States Code, Section 2156(b).

8. It was a further part and object of the conspiracy that THOMAS CARRANO, the defendant, and others known and unknown, did knowingly sell, buy, possess, transport, and deliver in interstate and foreign commerce knives, gaffs, and other sharp instruments attached, and designed and intended to be attached, to the leg of a bird for use in an animal fighting venture, in violation of Title 7, United States Code, Section 2156(e).

Overt Acts

9. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about February 2016, a co-conspirator not named as a defendant herein ("CC-1") mailed THOMAS CARRANO, the defendant, roosters, from the Bronx, New York.

b. In or about June 2016, CARRANO sent messages via a social media account to a co-conspirator not named as a

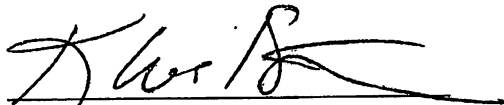
defendant herein ("CC-2") indicating that one of the roosters mailed to CARRANO by CC-1 was killed in a cockfight.


c. In or about May 2017, in Ontario, New York, CARRANO possessed cockfighting paraphernalia, gaffs, and roosters altered in a manner consistent with cockfighting.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATION

10. As a result of committing the offense charged in Count One of this Indictment, THOMAS CARRANO, the defendant, shall forfeit to the United States, pursuant to Title 7, United States Code, Section 2156(f) and Title 28, United States Code, Section 2461(c), any animal involved in any violation of Title 7, United States Code, Section 2156.


FOREPERSON


GEOFFREY S. BERMAN
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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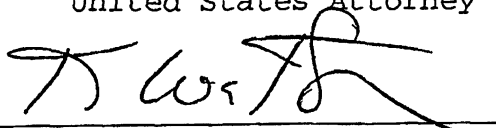
Defendant.

INDICTMENT

S1 17 Cr. 460 (DAB)

(18 U.S.C. § 371.)

GEOFFREY S. BERMAN
United States Attorney


Foreperson
